

MOTION BY SUPERVISOR GLORIA MOLINA

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**Establishing a County Toxic Threat Strike Team**

For many years, thousands of Eastside Los Angeles County residents have lived in fear that the emissions from the Exide battery recycling plant in Vernon were endangering their health. Yet, Exide has operated for decades with permission from the Air Quality Management District (AQMD), the State Department of Toxic Substances Control (DTSC) and the City of Vernon. Last year, the Exide Health Risk Assessment released by the AQMD found that for non-Exide workers in the area, emissions from the plant represent an additional cancer risk 7 times higher than the next highest cancer risk attributed to a single facility in the South Coast Air Basin. Exide’s Risk Assessment also reported a “Chronic Health Index” 80 times greater than the next highest single facility site. The primary chemicals contributing to the elevated health risks are arsenic, benzene and 1,3-butadiene, all three of which are known human carcinogens.

It is staggering to consider how State officials could allow Exide to evade a vital permitting requirement for over 30 years. Equally disturbing is the fact that this facility

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opened its doors in the 1920's, and since then, its operation has placed the health of our citizens in jeopardy.

DTSC and AQMD have been compelled by recent events to initiate legal actions against Exide, but the disputes between the parties are very likely to be prolonged and unlikely to bring timely relief to residents in the surrounding communities.

The communities near Exide are already among the most highly burdened in the State due to cumulative health risks from multiple sources of toxic exposures in the environment. Unfortunately, these conditions are faced by other similarly situated communities throughout the County. Although State and local environmental regulators may have strong legal authority, due to poor coordination between the agencies, these authorities are rarely leveraged to achieve a complete and rapid solution to toxic pollution in our communities. Most importantly, the lack of State regulatory coordination and communication limits the County's ability to ensure that the course of action selected by State regulators protects the health of our local residents.

It is essential that our County Public Health Department, County Counsel, District Attorney and related County departments combine our expertise and draw from existing County environmental enforcement efforts into a Countywide coordinated team that can identify and timely intervene in State regulatory actions involving non-compliant facilities located in close proximity to the public. Information is now readily available from the State Office of Environmental Health Hazard Assessment to identify communities in the County that are highly burdened due to cumulative health risks from multiple sources of toxic exposures. This information can be used to coordinate mitigation and environmental risk reduction efforts within these vulnerable communities.

The Countywide Strike Team approach, which focuses coordinated resources and expertise on a problem, is a well-established and successful model in Los Angeles County. We cannot remain passive and silent in the wake of state inaction or ineffectiveness. The health of our communities cannot wait.

**I THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:**

1. Direct the Department of Public Health (DPH) to convene a County Toxic Threat Strike Team, comprised of County agencies, to target facilities that release toxic pollutants in highly burdened communities and have been determined to endanger the public health. The Core Group of the Strike Team will be comprised of the Department of Public Health, County Counsel, District Attorney, Department of Public Works and the Fire Department.
2. The Strike Team will have the authority to engage and collaborate with State agencies and other local jurisdictions as needed, and is directed to make full use of the combined authorities of County, local and State regulatory agencies as appropriate, in a focused effort to gain leverage towards a solution. As an initial assignment, the Strike Team is directed to take the following actions:
  - a. Identify recommended actions to achieve closure of the Exide facility until DTSC makes a final determination regarding Exide's permit.
  - b. Identify a list of the ten most highly burdened communities in the County using the cumulative risk-ranking method established by the State Office of Environmental Health Hazard Assessment (OEHHA).
  - c. Request from State and local regulatory agencies a listing of facilities within the designated highly burdened communities which are located in

close proximity to residents and believed by the agency to potentially place such residents at significant risk.

- d. Request State and local regulatory agencies to inform the County of other such facilities, as they become known.
3. Direct County Counsel, in consultation with the DPH, to negotiate with relevant State Agencies the granting of State authority to the County under specified circumstances, where a determination has been made by the County Health Officer that a facility presents a substantial endangerment to the health of the public, and further, that it is in the best interests of the County and the public that the County assume leadership in mitigating the substantial endangerment.
  4. Direct the Department of Public Health and County Counsel to provide to the Board a written report on the progress in 90 days.